

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: S. NISHIHARA et al.
Application No.: 10/721,902
Filed: November 26, 2003
For: METHOD OF FABRICATING SEMICONDUCTOR
INTEGRATED CIRCUIT DEVICE
Art Unit: 2812
Examiner: L. Gurley

TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 16, 2004

Sir:

Petitioner, Hitachi, Ltd., having its place of business at 6, Kanda Surugadai 4-chome, Chiyoda-ku, Tokyo 100, Japan, represents that it is the sole owner of the entire interest of U.S. Application No. 10/721,902, filed November 26, 2003, for METHOD OF FABRICATING SEMICONDUCTOR INTEGRATED CIRCUIT DEVICE, and that the Assignment of all rights in connection therewith has been recorded at Reel 010580, Frame 0860.

Petitioner hereby disclaims all that portion of the term of any patent to be issued on the above-identified application subsequent to the expiration date of the full statutory term, defined in 35 U.S.C. §154 to §156 and §173, of U.S. Patent No. 6,693,001 issued February 17, 2004, and hereby agrees that any patent issued on the above-identified application shall be enforceable only for and during such time as the said U.S. Patent No. 6,693,001 and the above-identified application are commonly owned.

Petitioner, however, does not disclaim the terminal part of any patent granted on the instant application prior to the expiration date of the full statutory term, defined in 35 U.S.C. §154 to §156 and §173, of the above-listed U.S. Patent No. 6,693,001, in the event that U.S. Patent No. 6,693,001 expires: for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321; has all claims cancelled by a reexamination certificate; is reissued; or is otherwise terminated prior to the expiration of the above-referred-to full statutory term, except for the separation of legal title as stated above.

This disclaimer is to be binding with respect to any patent granted on the above-identified application, and is binding upon grantees, their successors, or assignees of any interests.

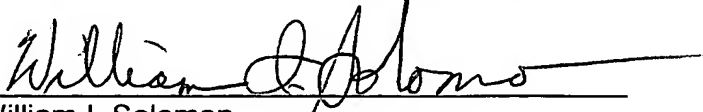
The undersigned is an attorney of record in this application and is empowered to act on behalf of Hitachi, Ltd. for execution and submission of Terminal Disclaimers, in accordance with the provisions of 37 C.F.R. §1.321(b) and (c), effective January 4, 1994.

The undersigned hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code,

and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



William I. Solomon
Registration No. 28,565

1300 North Seventeenth Street
Suite 1800
Arlington, VA 22209
(703) 312-6600
(703) 312-6666 (fax)
WIS/sjg